

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

HEALTH REPUBLIC INSURANCE  
COMPANY,

Plaintiff,

V.

THE UNITED STATES,

Defendant.

No. 16-259

Filed: May 2, 2023

## ORDER

On April 25, 2023, the parties submitted a joint filing setting forth their respective positions on the content of a proposed order granting judgment in favor of each party. *See* ECF No. 190. Having considered the parties’ competing proposals, the Court advises that, upon receipt of the parties’ stipulation, it intends to issue one order directing judgment in the form and manner proposed by the Government with the addition of the following line at the end: “Consistent with the Court’s order and opinion dated August 19, 2022, the Court is not directing a net payment deducting the amount of Defendant’s judgment from the judgment in favor of Colorado HealthOp. *See Health Republic Ins. Co. v. United States*, 161 Fed. Cl. 510 (2022).” This form of order is consistent with previous orders in this case granting stipulated judgments, *see, e.g.*, ECF No. 128, but appropriately notes that the parties have not agreed to, nor has the Court ordered, an offset. Nothing in this order or the forthcoming order granting judgment is intended to alter or supplement the Court’s August 19 order and opinion or the order granting-in-part and denying-in part Colorado HealthOp’s motion for clarification, which speak for themselves.

The Court hereby **ORDERS** the parties to file their stipulation to enter judgment in favor of Dispute Subclass Member Colorado HealthOp and in favor of the Government **by no later than May 9, 2023**.

**SO ORDERED.**

Dated: May 2, 2023

/s/ Kathryn C. Davis

KATHRYN C. DAVIS

Judge